

MINUTES
TOWN OF DARIEN
REPRESENTATIVE TOWN MEETING
TGS&A COMMITTEE

March 4, 2009

Call to Order: There being quorum with nine out of 12 members present, the Chairman called the meeting to order at 7:30 p.m.

Present: John T. Whitehead (Chairman), Simon Y. Balian, Angus James Cameron, Frank B. Kemp, Thomas W. Moore, S. Lloyd Plehaty, Bohdana Puzyk, Sarah C. Seelye, and John O. Wolcott.

Also attending parts of the meeting were: RTM Moderator Karen Armour, Rules Committee members Jack Davis and Mark Adiletta and Town Counsel Wayne Fox and Edmund Schmidt.

Absent: Eugene F. Coyle, Charles W. Grimes, and Samuel V. Schoonmaker.

Agenda: The Chairman proposed adding an item: "Election of Clerk" to the Agenda. The item was added by unanimous consent. The amended Agenda was adopted by unanimous consent.

Clerk: The Chairman nominated Simon Balian for the position of Clerk. The nomination was seconded. There being no other nominations, Simon Balian was elected Clerk by unanimous consent.

Minutes: The Minutes of the February 2, 2009 meeting were approved as presented by unanimous consent.

Solid Waste Ordinance: The Chairman distributed a revised version of the ordinance which included the current fees per the Rules Committee's ("RC") suggestion. In the discussion that followed, the members felt that adding the section with the fees was contrary to TGS&A practice of streamlining the Code and whenever possible taking the fees out since the Board of Selectmen ("BoS") is authorized to change the fees and having outdated fees in the Code creates potential conflicts. RC members present also agreed and stated that they planned to ask the BoS to annually submit a schedule of fees as an addendum to the budget.

Motion was made and seconded that TGS&A consider only the draft of the ordinance dated March 3, 2009 which omits the section on fees. The motion passed unanimously, with Whitehead abstaining.

The Committee discussed section 62-5 requiring all solid waste haulers to use the town dump and that it was not being rigorously enforced. Town Counsel explained that the previous contract had a minimum quantity threshold with penalties if those quotas were not met. This has changed in the current contract. However, it is a good idea to retain the provision, even if not rigorously enforced at this time, to benefit from economies of scale. The Town can enforce it strictly when it becomes necessary.

Motion was made and seconded to adopt the "Solid Waste Ordinance" draft dated March 3, 2009 and submit to the RTM with a recommendation for adoption. The motion passed unanimously.

Rules Committee Presentation: Jack Davis gave some background information on the RC charge to TGS&A to review the Code and recommend amendments to it with the goal of updating and streamlining it. However the RC clearly wants to implement this project in several phases, starting with the relatively easier and less controversial sections. The RC wanted a plan of implementation with reasonable timelines from the TGS&A. Considering his expertise as a consultant, Jack Davis had volunteered to prepare a draft action plan for the TGS&A with deliverable targets. Mr. Davis made it clear that the TGS&A had to review the plan and own it.

Mr. Davis walked through the draft action plan with its deliverables, checklists and monitoring mechanism to ensure that the necessary steps were being taken in the process of accomplishing this task. Ms. Armour and Mr. Davis emphasized that the action plan was critical and the RC expected monthly progress reports from TGS&A.

The Chairman asked Wolcott to review the action plan and make his recommendations to the TGS&A members.

The Committee expressed its appreciation to Mr. Davis for his efforts in preparing the action plan and thanked the RC members for attending and further clarifying their charge to the TGS&A.

Executive Committee and Task Assignments: The Committee's conclusion was that the action plan implementation required more effort from members and regular input from elected officials and Department heads of the Town as well. This can be achieved more efficiently in small groups and by scheduling meetings during normal work hours.

The Chairman stated that he, Plehaty, Schoonmaker and Balian will constitute the core of an executive committee and invite other members to participate in these regular workday meetings on a rotating basis. He will aim to have at least five members present at every meeting.

The Chairman also tasked Seelye and Kemp with reviewing the entire Code to identify every section of the Code that has a fee schedule included so that those sections

can be considered for amendment expeditiously to meet the RC target deliverables. They will report at the next TGS&A meeting.

Dog Ordinance: Mr. Plehaty reported on the current status of the proposed ordinance. He reported that the Police Department prefers fines to be handled by the state Central Infractions Bureau as is the practice in some neighboring towns instead of a local appeals process. This will require deleting the last paragraph from the latest draft. The Committee did not take any further action.

Adjournment: There being no other business, the meeting adjourned by unanimous consent at 9:30 pm.

Recorded by:

/S/ Simon Y. Balian

Clerk